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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,422	02/14/2001	Daniel J. Carr	70001	5065

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EXAMINER

CHO, HONG SOL

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 08/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/784,422	CARR, DANIEL J.	
	Examiner	Art Unit	
	Hong Cho	2662	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it exceeds the maximum number of allowable words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2, 4, 6, 15, and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "said network call processor server" in 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "said system directory" in 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "said network call processor server" in 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e)

that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claim 1, 3, 5, 7-9, 11, and 14 are rejected under 35 U.S.C. 102(e) as being unpatentable over Kim (U.S 6546002).

Re claims 1 and 11, Kim discloses a telephone network system in figure 3 that is connected by a computer (*network device*), LAN (*distributed network*) or a cellular phone, and a mobile interface agent (MIA, element 140, figure 3, *network call processor*), that is used to store, distribute, and access information (*data storage*), connected to the network (element 108, figure 3). Kim discloses a graphic interface including URLs (*web pages*) in figure 1b used by MIA in a cellular telephone (*network telephone*), and showing user profile data stored in database (*displaying user specific records stored in central database*). Kim does not explicitly teach a web browser software interface for accessing web pages, but it is inherent that Kim's computer system (element 1520, figure 15) is loaded with a web browser since it provides an access to web pages (column 8, lines 39-44).

Kim discloses managing central database to update user information such as name and telephone numbers to database (column 8, lines 44-48; column 16, lines 41-44). Kim discloses a graphic interface used by a MIA in figure 1b. In figure 1b a set of interface menu is shown for a user's specific configuration and profile (*displaying at least a part of user specific records*).

Re claim 3, Kim discloses database storing user profile data such as telephone numbers (column 16, lines 43-44) and bookmarked URLs pointing to the location of the user profiles (column 8, lines 40-44; *providing users with a personal user directory*).

Re claim 5, Kim discloses customizing the display of user data at network telephone display by minimizing and maximizing buttons (figure 1b).

Re claim 7, Kim discloses using action commands such as selecting and clicking a specific menu item (*accessing the numbers for display on the display of the network telephone*, column 6, lines 43-45), and using scheduled event command to contact another MIA (*making a call using one of the numbers on the user network telephone*, column 6, lines 64-66).

Re claim 8, Kim discloses a network telephone illustrating the display user interface that is changed with the selection of network telephone key (column 6, lines 10-12).

Re claim 9, Kim discloses a MIA connected to the profile manager server connected to the network and distributed database servers (column 11, lines 38-42). It is inherent that a server has a hard disk drive to contain data.

Re claim 14, Kim discloses a network system in figure 15 with MIA (*network call processor*), database (profile manager, *data storage*), a cellular telephone (*network telephone*), and a graphical interface used by a MIA in Windows 95 PC (*establishing a network software interface with a graphical user interface on the network device*). Kim discloses a profile manager connected to the network (*establishing a network telephone user database, column 7, lines 31-34*)) so that cellular telephone user with MIA agent can access contents of database by selecting a menu-driven selection (*accessing data through a graphic interface, figure 1b*). Kim discloses a graphic user interface displaying selected portions of the changed user data by use of an action command such as selecting and clicking a specific menu item in figure 1b (*displaying selected portions of user data by use of one of keys at network telephone device, column 6, lines 38-45*).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 2, 4, 6, 10, 12-13, and 15-17 are rejected under 35 U.S.C. 103(a) as

Art Unit: 2662

being unpatentable over Kim in view of Platt et al (U.S 6757363), hereinafter referred to as Platt.

Re claim 2, Kim does not teach explicitly network telephone system where a telephone line network interface connected to a telephone line and to a network. However, Platt discloses a system where a telephone is connected to the network through network interface (element 142, figure 3) and a call manager server handling packets for telephone communications in a given network (*network call processor server controlling packet from network interface to network telephone*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to design LAN such as Ethernet with network telephones and call manager server. The motivation to combine is to use the function of call manager server in controlling network packets used for initiating and terminating telephone calls (column 4, lines 13-15).

Re claim 4, Kim discloses the structure of database including user identification, user information (*personal name directory*), and pointer data such as URL pointer that includes data of the web browser location (column 8, lines 39-42). Kim does not teach explicitly including a system directory in database. However, Platt discloses the network telephone display with one or more different directories (column 8, lines 44-46). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the structure of Kim to include Platt to provide a user with selection for more available resources on the web pages.

Re claim 6, Kim does not disclose making a call for actuating the user's network telephone. However, Platt discloses using the display of network telephone to make a call (figure 2, and 4-6). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the web display of Kim to include the feature of Platt to make a call by one of numbers in the network telephone by actuating the user's network telephone. The motivation to combine is to use the benefit of Platt in making a call at user's convenience since the web display contains the dial list (figure 7).

Re claim 10, Kim does not disclose explicitly a network telephone connected to LAN such as Ethernet with a packet controller and input/output circuitry for receiving data packets from database and controlling the display for selectively displaying information. However, Platt discloses a view of the telephone with its internal circuitry (figure 3). Platt discloses a microcontroller coupled to the display (*controlling the display for selectively displaying information*) and network interface circuit that interfaces the microcontroller to the Ethernet network (*a packet controller and input/output circuitry for controlling packets, column 5, lines 48-59*). It would have been obvious to one having ordinary skill in the art at the time the invention was made to implement Platt's LAN into Kim. The motivation to combine is to get the benefit of Platt since Platt states at column 2, lines 1-3 that network-based telephone system provides the capability to independently access network resources.

Re claim 12, Kim does not disclose telephone network system providing different collision domains between network telephones and network devices since Kim does not explicitly disclose the network connectivity between the network telephone and the telephone network. However, Platt discloses a packet-switched network where network telephones are connected to Ethernet network as in figure 1. It is the expected result that once Kim's system is modified to include packet-switched network as disclosed in Platt, it would create a collision domain between network devices and telephones since they are connected to Ethernet (figure 1), which will create a collision domain. The motivation to combine is the same as explained in the rejection of claim 10.

Re claim 13, Kim does not teach network telephones with a packet controller and making a conference call. However, as explained in the rejection of claim 10, Platt teaches network telephone with a packet controller receiving packets from network devices and phones since they are connected to Ethernet. Platt further teaches a telephone, capable of implementing a telephony function, making a call to one of the telephones (*producing a conference call*, column 4, lines 7-11). It would have been obvious to one having ordinary skill in the art at the time the invention was made to implement telephony functions of Platt to Kim to get the benefit of interaction with the telephones to communicate each other.

Re claims 15 and 16, Kim discloses making a phone call by using input commands to MIA (*to graphical user interface*, column 6, lines 54-55) such as voice commands. Kim does not teach network software interface wherein

packets are generated based on input commands into a graphical user interface, and received from network call processor server to initiate a phone call.

However, Platt discloses establishing a telephone call from the user's network telephone by transmitting Ethernet packets (*initiating a phone call by sending packets to the user telephone*) between the network telephone and call manager server (*network call processor server*) connected to the network (column 7, lines 28-34).). When Kim and Platt's system is combined, it is the expected result in packet-switched network with network telephones that initiating a call from a network telephone involves transmitting packets to the network.

Re claim 17, Kim does not teach packets being generated with actuation of keys at the user's telephone device when initiating a phone call. However, Platt discloses establishing a telephone call from the user's network telephone by transmitting Ethernet packets (*initiating a phone call by sending packets to the network call processor*, column 7, lines 28-34). When Kim and Platt's system is combined, it is the expected result in packet-switched network with network telephones that initiating a call from a network telephone involves transmitting packets to the network where network call processor is connected to.

Conclusion

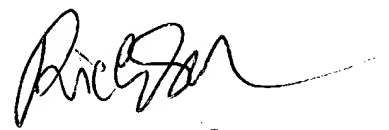
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent (6744759) to Sidhu et al discloses method for providing user-configured telephone service
- US Patent (6031904) to An et al discloses service order mechanism for telephone subscriber

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hong Cho whose telephone number is 703-305-0343. The examiner can normally be reached on Mon-Fri during 7 am to 4 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 703-305-4798. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



RICKY NGO
PRIMARY EXAMINER